

ENVIRONMENTAL ASSESSMENT

Determinations and Compliance Findings for HUD-Assisted Projects

24 CFR Part 58

Responsible Entity: New Jersey Department of Community Affairs, Richard Constable III, Commissioner

Applicant Name: Robert (First) Muraczewski (Last)

-or- _____ (Business/Corporate Name)

Project Location: 1924 Bay Boulevard (Street Address)

Toms River (Municipality) Ocean (County) New Jersey (State)

1097.06 (Block) 1 (Lot)

Conditions for Approval [40 CFR 1505.2(c)]: (List all mitigation and project modification measures required by the Responsible Entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts and other relevant documents as required. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.)

General

1. *Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.*
2. *If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the National Environmental Policy Act.*

Noise

1. *Outfit all equipment with operating mufflers*
2. *Comply with the applicable local noise ordinance*

Air Quality

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls (see SRP0044000_AirQualityMemo_LRRP_TO53). In addition, the following must be met:

1. *Use water or chemical dust suppressant in exposed areas to control dust.*
2. *Cover the load compartments of trucks hauling dust-generating materials.*
3. *Wash heavy trucks and construction vehicles before they leave the site.*
4. *Reduce vehicle speed on non-paved areas and keep paved areas clean.*
5. *Retrofit older equipment with pollution controls.*
6. *Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.*
7. *Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.*

8. Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C. 7:27-8.2(c). Such equipment includes, but is not limited to, the following:
 - a. Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);
 - b. Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);
 - c. Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and
 - d. Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).

(Note: One or two family dwellings and dwellings of six or less family units, one of which is owner occupied, are exempt pursuant to NJSA 26:2C-9.2.)
9. Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with the applicable smoke and "3-minute idling" limits (N.J.A.C. 7:27-14.3, 14.4, 15.3 and 15.8).
10. Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).
11. Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.

Floodplain Management and Flood Insurance

1. All proposed reconstruction, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the Flood Hazard Area Control Act rules (N.J.A.C. 7:13).
2. All structures funded by the RREM Program and the Small Rental Properties Program, if in, or partially in, the 100-year floodplain shown on the effective FEMA Flood Insurance Rate Map, must be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. This means no funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program. In the nine counties included in the RREM and Small Rental Properties Programs, this includes the following municipalities in the following counties:
 - Bergen County: Alpine Borough, Cliffside Park Borough, and Englewood Cliffs Borough
 - Hudson County: Union City
 - Monmouth County: Freehold Borough and Shrewsbury Township
 - Union County: Winfield Township
3. No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 CFR 58.6(b)].
4. In the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest (most recent) FEMA-issued Maps), adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 CFR 60.3(e) as required by HUD Regulation 24 CFR 55.1(c)(3).

Energy Efficiency

All reconstruction, new construction and rehabilitation projects in the HUD CDBG programs must be designed to incorporate principles of sustainability, including water and energy efficiency, resilience and mitigation of the impact of future disasters.

Soil and Water Quality

Obtain Ocean Soil Conservation District Soil Erosion and Sediment Control Plan Certification. The following requirements will also be met.

- 1. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in waters and to prevent erosion in wetlands and waters.*
- 2. Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.*

FINDING:**X Finding of No Significant Impact (FONSI) [24 CFR 58.40(g)(1); 40 CFR 1508.27]**

(The project will not result in a significant impact on the quality of the human environment.)

☐ **Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]**

(The project may significantly affect the quality of the human environment.)

CERTIFICATIONS:Gary Doss, Dewberry
Preparer Name and Agency
Preparer Signature5/1/2014
Preparer Completion Date_____
RE Certifying Officer Name_____
RE Certifying Officer Signature_____
RE CO Signature Date**Funding Information:**

Grant Number	HUD Program	Funding Amount
B-13-DS-34-0001	CDBG-DR	\$250,000

Estimated Total HUD Funded Amount: \$250,000

Awards under the Landlord Rental Repair Program (LRRP) will be equal to the lesser of \$50,000 per affordable rental housing unit, or 100% of the estimated cost to repair the property less any Duplication of Benefits (DOB) as calculated in accordance with the Robert T. Stafford Disaster Assistance and Emergency Relief Act (Stafford Act). The property contains five units with a total of approximately \$400,168 in damages; therefore program funding will be \$250,000.

Estimated Total Project Cost [24 CFR 58.32(d)]: (HUD and non-HUD funds) \$400,168.84**Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:**

The project is intended to rehabilitate five rental units that were damaged as a result of Superstorm Sandy. The project will help alleviate a shortage of affordable housing caused by the storm by rehabilitating housing to be made available to those with incomes at or below 80% of the median income.

Description of the Proposed Project [24 CFR 50.12 & 58.32, 40 CFR 1508.25]: (Include all contemplated actions that are logically either geographically or functionally a composite part of the project, regardless of the source of funding. As appropriate, attach maps, site plans, renderings, photographs, budgets, and other descriptive information.)

The proposed project will rehabilitate and elevate the existing five-unit residence located at 1924 Bay Boulevard in Toms River Township. The building's footprint will not change during the rehabilitation process

and no other expansions will take place. See provided applicant documents and the USGS topographic map.

Existing Conditions and Trends [24 CFR 58.40(a)]: (Describe the existing conditions of the project area and its surroundings, and the trends likely to continue in the absence of the project.)

The proposed project is within the Township of Toms River in an area characterized by residential (primarily single-family) development. The project area was heavily impacted by flooding from Superstorm Sandy. In the absence of the proposed project, the project parcel will continue to deteriorate and will remain unavailable to potential low-income tenants.

PART I: STATUTORY CHECKLIST [24 CFR 50.4, 24 CFR 58.5]**DIRECTIONS – For each authority, check either Box “A” or “B” under “Status.”**

“A box” The project is in compliance, either because: (1) the nature of the project does not implicate the authority under consideration, or (2) supporting information documents that project compliance has been achieved. In either case, information must be provided as to WHY the authority is not implicated, or HOW compliance is met; OR

“B box” The project requires an additional compliance step or action, including, but not limited to, consultation with or approval from an oversight agency, performance of a study or analysis, completion of remediation or mitigation measure, or obtaining of license or permit.

IMPORTANT: Compliance documentation consists of verifiable source documents and/or relevant base data. Appropriate documentation must be provided for each law or authority. Documents may be incorporated by reference into the ERR provided that each source document is identified and available for inspection by interested parties. Proprietary material and studies that are not otherwise generally available for public review shall be included in the ERR. Refer to HUD guidance for more information.

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & §58.5	STATUS A B		Compliance Documentation
1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is within Ocean County, which is shown as being designated a nonattainment or maintenance area for the following National Ambient Air Quality Standard (NAAQS) pollutants (see SRP0044000_AirQualityMap_LRRP_TO53):</p> <ul style="list-style-type: none"> • Nonattainment area for 8 hour Ozone standard of 0.08 ppm (1997 standard) • Nonattainment area for 8 hour Ozone standard of 0.075 ppm (2008 standard) • Maintenance area for 8-hour Carbon Monoxide standard of 9ppm <p>The project will involve the rehabilitation and elevation of the five-unit residence. Temporary impacts to air quality may occur during construction; however, no long-term impacts to air quality are anticipated. The temporary impacts can be mitigated through Best Management Practices (BMPs) including the usage of water or chemical dust suppressant, covering load compartments of trucks carrying dust-generating material, and retrofitting older equipment with pollution controls.</p>
2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Newark Liberty International Airport is located approximately 50 miles to the north of the project. Atlantic City International Airport is located approximately 43 miles to the south-southwest of the project. The nearest military airfield, McGuire Air Force Base, is located approximately 15 miles west of the project. The project is not within 15,000 feet of a military air field or 2,500 feet from the end of a civilian airport runway. The project is therefore not within an Airport Clear Zone or Accident Potential Zone (see SRP0044000_AirportHazardsMap_LRRP_TO53).</p>

3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/> <p>The project is located within the Coastal Zone Management Act area (see SRP0044000_CoastalZoneManagementActMap_LRRP_TO53). The project will involve the rehabilitation and elevation of the existing five-unit residence. According to correspondence with the NJDEP Division of Land Use Regulation (DLUR), since the project would not result in development located on a beach or dune, and the property is not within 150 feet of the mean high water line or landward limit of a beach or dune, the project is not regulated and a CAFRA permit is not required. See DLUR correspondence in supporting documentation.</p>
4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/> <p>No hazardous sites were identified within 3,000 feet of the project (see SRP0044000_ToxicHazardousandRadioactiveSubstancesMap_LRRP_TO53). In addition, no evidence of contamination or toxic substances was observed during the site visit. According to documentation provided by the applicant, Lead-Based Paint (LBP) and Asbestos-Containing Materials (ACM) surveys were conducted at each of the five units on the property. No LBP or ACM was encountered (see supporting documentation). In addition, according to the NJDEP Radon Potential Map, the property is within a Tier III Radon Potential area; therefore, further assessment regarding Radon is not required. See SRP0044000_RadonMap_LRRP_TO53.</p>
5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]	<input checked="" type="checkbox"/>	<input type="checkbox"/> <p>The project is approximately 400 feet to the east of areas known to be habitat to state-endangered Least Tern and state-threatened Osprey and Black-crowned Night-heron. No habitat for these or other species is identified on the subject parcel and no disturbance of these areas is proposed as part of the project; therefore, no impact to endangered species is anticipated. See NHP correspondence, SRP0044000_EndangeredSpeciesMap_LRRP_TO53 and SRP0044000_EndangeredSpeciesLandscapeProject_LRRP_TO53.</p>
6. Environmental Justice [Executive Order 12898]	<input checked="" type="checkbox"/>	<input type="checkbox"/> <p>The project will involve the rehabilitation and elevation of a five-unit residence. No adverse impact to low income or minority populations is anticipated. As part of the LRRP program, the rehabilitated housing will be made available to those with incomes at or below 80% of the median income, providing a benefit to the low income population. See SRP0044000_HUD_EJ_Checklist_LRRP_TO53, SRP0044000_EnvironmentalJusticeMinorityMap_LRRP_TO53 and SRP0044000_EnvironmentalJusticePovertyMap_LRRP_TO53.</p>
7. Explosive and Flammable Operations [24 CFR 51C]	<input checked="" type="checkbox"/>	<input type="checkbox"/> <p>The proposed project will involve the rehabilitation of the five-unit residential building. The project will not involve increasing the number of residences on the property; therefore, the project is exempt under 24 CFR 51.201.</p>
8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]	<input checked="" type="checkbox"/>	<input type="checkbox"/> <p>The project area is located within areas classified as Psammaquents, sulfidic substratum (PstAt). According to the USDA National Resource Conservation Service, this soil group is not prime farmland. Therefore, the project will have no impact on farmland soils (see SRP0044000_FarmlandProtectionSoilsMap_SRP_TO53).</p>

9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]	<input checked="" type="checkbox"/>	<input type="checkbox"/> The property is currently entirely within the 100-year floodplain (see SRP0044000_FloodplainMgmtandFloodInsuranceNFIPNotInFloodway_LRRP_TO53). As long as the proposed development does not increase the footprint of the building by more than 300 feet, the lowest habitable floor of the building is elevated to at least two feet above the base flood elevation, and the area below the lowest floor of the building is not used for habitation and remains open to floodwaters, the project meets the requirements of the N.J.A.C. 7:13-7.2 (a)3 Permit-by rule. <input type="checkbox"/> Since no practicable alternatives to locating within the floodplain were identified, an 8-step decision-making process was conducted as outlined in 24 CFR 55.21. A Spanish public notification was posted on April 10, 2014, in Reporte Hispano and an English public notification was posted on April 11, 2014 in the Star Ledger. The notices had a comment period of 15 days. Comments from the US Fish and Wildlife Service (USFWS) and US Army Corps of Engineers (ACOE) were received; however, these comments were not applicable to the subject project. A copy of the 8-step checklist, the 8-step analysis and public notifications can be found in the supporting documentation.
10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]	<input checked="" type="checkbox"/>	<input type="checkbox"/> The project is not located within a Historic Property Exemption Zone according to the NJDEP HUD Environmental Review Tool (seeSRP0044000_HistoricPreservationExemptionZoneMap_LRRP_TO53). The proposed project was submitted to the HPO on February 14, 2014 for consultation. The HPO responded on March 13, 2014 stating concurrence with a finding of No Historic Properties Affected (see SRP0044000_SHPO_Response correspondence).
11. Noise Abatement and Control [Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR 51B]	<input checked="" type="checkbox"/>	<input type="checkbox"/> A Day/Night Noise Level (DNL) calculation for the project was not conducted. DNL noise standards are not applicable to “any action or emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster” (24 CFR 51.101(a)(3)). Since the proposed project will rehabilitate the existing structure into conditions similar to those found prior to Superstorm Sandy, and will not increase the density of units on the development, the DNL standards do not apply. It is anticipated that construction activities will create a temporary noise impact. This impact can be mitigated through the use of BMPs such as installation of mufflers on equipment and performing construction during daytime.
12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]	<input checked="" type="checkbox"/>	<input type="checkbox"/> According to EPA Region 2, the project area is located above a sole-source aquifer (see SRP0044000_SoleSourceAquiferMap_LRRP_TO53). According to correspondence between HUD and the EPA, CDBG-DR projects involving rehabilitation of single or multi-unit housing developments that will use existing public water and sewer will have no impact to the sole source aquifer. The property is currently receives potable water and sewage services, which are provided by United Water. Therefore, consultation with the EPA Region 2 is not required. See HUD and EPA correspondence in the supporting documentation.

13. Wetland Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]	<input checked="" type="checkbox"/>	<input type="checkbox"/> According to the NJDEP wetland GIS layer and observations made during the site reconnaissance, no designated wetlands are located within or adjacent to the project (see SRP0044000_WetlandProtectionMap_LRRP_TO53).
14. Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c); 36 CFR 297]	<input checked="" type="checkbox"/>	<input type="checkbox"/> The Wild and Scenic Rivers Act of 1968 protects selected rivers in a free-flowing condition (16 U.S.C. 1271) and prohibits federal support for activities that would harm a designated river's free-flowing condition, water quality, or outstanding resource values. Five designated Wild and Scenic rivers are located within the State of New Jersey; the Delaware River (Lower), Delaware River (Middle), Great Egg Harbor River, Maurice River and the Musconetcong River. None of these rivers are located in proximity to the project (see SRP0044000_WildandScenicRiversMap_LRRP_TO53). Therefore, consultation review by the National Park Service is not required.

PART II: ENVIRONMENTAL ASSESSMENT CHECKLIST

[24 CFR 58.40; 40 CFR 1508.8 & 1508.27]

For each impact category, evaluate the significance of the effects of the proposal on the character, features, and resources of the project area. Enter relevant base data and credible, verifiable source documentation to support the finding. Note names, dates of contact, telephone numbers, and page references. Attach additional material as appropriate. **All conditions, attenuation, or mitigation measures have been clearly identified.**

Impact Codes:

- (1) no impact anticipated
- (2) potentially beneficial
- (3) potentially adverse- requires documentation
- (4) requires mitigation
- (5) significant/potentially significant adverse impact requiring avoidance or modification which may require an Environmental Impact Statement

Impact Categories	Impact Code	Impact Evaluation, Source Documentation and Mitigation or Modification Required
Land Development		
Conformance with Comprehensive and Neighborhood Plans	2	The project is located on the barrier island portion of Toms River Township. According to the township's 2006 master plan (updated in 2009). The master plan recognizes the need to encourage affordable housing amidst rising housing prices on the shore. The project meets these goals; the LRRP program conditions state that recipients must agree to rent their property to residents with incomes at or less than 80% of the median income level.
Land Use Compatibility and Conformance with Zoning	1	According to the Township of Toms River zoning map, the property is zoned R-40B. The proposed project will not involve increasing the density of development on the property and will be in conformance with zoning regulations.
Urban Design- Visual Quality and Scale	1	The project will rehabilitate a five-unit residential building that was damaged as a result of Superstorm Sandy. The existing structure will be retained and elevated as part of the rehabilitation. The elevation will change the visual scale of the structure, but since elevated structures are common on the barrier islands, this will not significantly impact the visual quality of the surrounding area.
Slope	1	The project area is located in an existing residential area and will not impact steep slopes.
Erosion	1	The project is not located on steep slopes or near bodies of water. Temporary impacts from construction and excavation can be mitigated through the use of BMPs (i.e., silt fences).

Soil Suitability	1	The project area is located within areas classified as Psammaquents, sulfidic substratum (PstAt). According to the USDA National Resource Conservation Service, this soil group is not prime farmland. Therefore, the project will have no impact on soil suitability (see SRP0044000_FarmlandProtectionSoilsMap_SRP_TO53).
Hazards and Nuisances, Including Site Safety	2	The project is presently an unoccupied five-unit rental following the damages incurred by Superstorm Sandy. The rehabilitation of the building will eliminate nuisances associated with unoccupied buildings, thereby enhancing the local neighborhood.
Drainage/Storm Water Runoff	1	The project will continue to utilize the township's existing storm water system. The storm water drainage system is maintained by the Township of Toms River Public Works Department. The proposed project will involve the elevation and rehabilitation of the existing structure; no new paved areas are proposed. The site plan approval process will address any drainage/storm water runoff concern.
Noise-Effects of Ambient Noise on Project & Contribution to Community Noise Levels	1	<p>A Day/Night Noise Level (DNL) calculation for the project was not conducted. DNL noise standards are not applicable to "any action or emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster" (24 CFR 51.101(a)(3)). Since the proposed project will rehabilitate the existing structure into conditions similar to those found prior to Superstorm Sandy, the DNL standards do not apply.</p> <p>It is anticipated that construction activities will create a temporary noise impact. This impact can be mitigated through the use of BMPs such as installation of mufflers on equipment and performing construction during daytime.</p>
Energy Consumption	1	Jersey Central Power and Light (JCP&L) provides energy to Toms River Township. The HUD CDBG-DR program goals include new construction meeting the 2009 Residential International Building Code and requiring compliance with EPA Energy Star program. The project will create five energy efficient residential units; based on the number of units and energy efficiency to which they will be built, the project impact will be negligible. Based on the addition of five units, it is anticipated that JCP&L will be able to support the additional residential units.

Socioeconomic Factors
Demographic Character Changes

1

According to 2010 census data, the proposed project is not located in a high diversity residential area. The non-minority population accounts for 90% of the total population, compared to 69% for the state as a whole. The addition of five affordable rental units is not expected to impact the demographic character of the project area.

	Toms River		New Jersey	
Subject	Number	Percent	Number	Percent
Total Population	91,239	100.0	8,791,894 (r43702)	100.0
Median Age (Years)	43	(X)	39.0	(X)
White	82,035	89.9	6,029,248	68.6
Black or African American	2,465	2.7	1,204,826	13.7
American Indian and Alaska Native	156	0.2	29,026	0.3
Asian	3,266	3.6	725,726	8.3
Native Hawaiian and Other Pacific Islander	17	0.0	3,043	0.0
Some Other Race	1,785	2.0	559,722	6.4
Two or More Races	1,515	1.7	240,303	2.7
Hispanic Total Population	7,231	7.9	1,555,144	17.7
Average Household Size	2.58	(X)	2.68	(X)
Average Family Size	3.1	(X)	3.22	(X)
Total Housing Units	43,334	100.0	3,553,562	100.0
Occupied Housing Units	34,760	80.2	3,214,360	90.5
Vacant Housing Units	8,574	19.8	339,202	9.5

Note: Hispanic populations may be of more than one race.

Displacement

2

The project is an unoccupied five-unit residential building; therefore, displacement of residents is not anticipated. Upon completion of the project, the addition of five affordable rental units will help alleviate shortages in affordable housing caused by Superstorm Sandy.

Employment and Income Patterns

1

2008 and 2012 census data shows that Toms River Township has a similar unemployment rate and income level to that of the state as a whole. The project will rehabilitate a vacant five-unit building, thereby creating construction-related jobs in the short term. The project is therefore anticipated to have a short-term benefit to employment and income patterns. The project is not anticipated to have any long-term adverse impacts.

	Toms River		New Jersey	
Subject	Number	Percent	Number	Percent
Population 16 years and over	74,934	(X)	6,985,329	(X)
In Labor Force	49,193	65.6	4,672,338	66.9
Civilian Labor Force	49,107	65.5	4,663,005	66.8
Employed	44,611	59.5	4,219,677	60.4
Unemployed	4,496	6.0	443,328	6.3
Armed Forces	86	0.1	9,333	0.1
Not in labor force	25,741	34.4	2,312,991	33.1
Civilian Employed Population 16 Years and Over	49,107	(X)	4,219,677	(X)
Median Household Income (dollars)	71,706	(X)	71,637	(X)
Mean Household Income (dollars)	88,573	(X)	96,602	(X)
Median Family Income (dollars)	83,864	(X)	87,389	(X)
Mean Family Income (dollars)	101,659	(X)	112,730	(X)
Per Capita Income (dollars)	34,424	(X)	35,928	(X)
Percentage of People Whose Income in the Past 12 Months is Below Poverty Level	(X)	6.8	(X)	9.9

Community Facilities and Services		
Educational Facilities	1	The project is located within the Toms River Regional Schools District. Students may attend the East Dover Elementary School, the Intermediate East School and the High School East. Since the project will rehabilitate a formerly occupied five-unit residence, no adverse impact on school enrollment is anticipated.
Commercial Facilities	2	The rehabilitation of the five units will have a positive impact on local businesses. The project is in close proximity to major tourist and retail attractions, particularly the Seaside Heights boardwalk.
Health Care	1	The following hospitals are near the project site: Community Medical Center in Toms River Township, Ocean Medical Center in Brick Township and Kimball Medical Center in Lakewood Township. Based on the availability of health care facilities, the proposed project is not anticipated to significantly affect health care.
Social Services	1	The Ocean County Board of Social Services is located at 1027 Hooper Avenue in Toms River Township. Since the project will rehabilitate a building that was previously occupied and will not increase the overall density of the property, there will be no significant impact to local social services.
Solid Waste Disposal/Recycling	1	The Township of Toms River Public Works Department is responsible for solid waste/recycling collection. Since the project will rehabilitate a building that was previously occupied and will not increase the overall density of the property, there will be no significant impact to the waste disposal/recycling system.
Waste Water/Sanitary Sewers	1	United Water provides sanitary sewer services to the project area. The project is currently connected to this system. Since the project will rehabilitate a building that was previously occupied and will not increase the overall density of the property, there will be no significant impact to the waste water/sanitary sewer system.
Water Supply	1	United Water provides potable water to the project area. The project is currently connected to this system. Since the project will rehabilitate a building that was previously occupied and will not increase the overall density of the property, there will be no significant impact to the waste water supply system.
Public Safety: <ul style="list-style-type: none"> Police Fire Emergency Medical 	1	The project will rehabilitate the five-unit residence. Since the project will rehabilitate a building that was previously occupied and will not increase the overall density of the property, no significant impact to local public safety resources is anticipated.
Parks, Open Space & Recreation: <ul style="list-style-type: none"> Open Space Recreation 	1	<p>The following local parks and recreational facilities are located in proximity to the project:</p> <ul style="list-style-type: none"> Ortley Beach Recreation Area A, located approximately 600 feet to the north of the project. This recreation area features tennis courts, a playground and a pavilion. Boro Ball Field, located approximately 1,600 feet to the northeast of the project. This park features a baseball field and playgrounds.

Cultural Facilities	1	<p>The following local libraries and cultural facilities are located in proximity to the project:</p> <ul style="list-style-type: none"> Upper Shores Library, located at 112 Jersey City Avenue, Lavallette. The library features public access computers, internet, and public meeting space. Ocean County Historical Society Museum, located at 26 Hadley Avenue in Toms River. The museum features cultural and historic exhibits, a local history research library and hosts local events. <p>The project is not located within a Historic Property Exemption Zone according to the NJDEP HUD Environmental Review Tool (seeSRP0044000_HistoricPreservationExemptionZoneMap_LRRP_TO53). The proposed project was submitted to the HPO on February 14, 2014 for consultation. The HPO responded on March 13, 2014 stating that they concurred with a finding of No Historic Properties Affected (see SRP0044000_SHPO_Response correspondence).</p>
Transportation & Accessibility	1	<p>The project is located along Bay Boulevard, which intersects Route 35, the major north/south roadway for the barrier island. The project is approximately one mile north of the J. Stanley Tunney Bridge, which connects the barrier island to the mainland. Based on the scope of the project, it will not significantly impact local transportation infrastructure.</p>
Natural Features		
Water Resources	1	<p>According to EPA Region 2, the project area is located above a sole-source aquifer (see SRP0044000_SoleSourceAquiferMap_LRRP_TO53). According to correspondence between HUD and the EPA, CDBG-DR projects involving rehabilitation of single or multi-unit housing developments that will use existing public water and sewer. The property is currently receives potable water and sewage services, which are provided by United Water. Therefore, consultation with the EPA Region 2 is not required. See HUD and EPA correspondence in the supporting documentation.</p>
Surface Water	1	<p>The project is located on a barrier island in close proximity to both Barnegat Bay and the Atlantic Ocean; however, based on the scope of work, no impact to these surface water features is anticipated.</p>
Unique Natural Features & Agricultural Lands	1	<p>No unique natural features or agricultural lands are located within the project area. Therefore, no impact to these resources is anticipated.</p>
Vegetation and Wildlife	1	<p>The project is approximately 400 feet to the east of areas known to be habitat to state-endangered Least Tern and state-threatened Osprey and Black-crowned Night-heron. No habitat for these or other species is identified on the subject parcel and no disturbance of these areas is proposed as part of the project; therefore, no impact to endangered species is anticipated. See NHP correspondence, SRP0044000_EndangeredSpeciesMap_LRRP_TO53 and SRP0044000_EndangeredSpeciesLandscapeProject_LRRP_TO53.</p>

PART III: 58.6 CHECKLIST [24 CFR 50.4, 24 CFR 58.6]

1. AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES NOTIFICATION [24 CFR Part 51.303(a)(3)]

Does the project involve the sale or acquisition of property located within a Civil Airport Runway Clear Zone or a Military Airfield Clear Zone?

☒ **No.** Cite or attach Source Documentation:

Newark Liberty International Airport is located approximately 50 miles to the north of the project. Atlantic City International Airport is located approximately 43 miles to the south-southwest of the project. The nearest military airfield, McGuire Air Force Base, is located approximately 15 miles west of the project. The project is therefore not within an Airport Clear Zone or Accident Potential Zone.

[Project complies with 24 CFR 51.303(a)(3).]

☐ **Yes.** Notice must be provided to the buyer. The notice must advise the buyer that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information, and a copy of the signed notice must be maintained in the ERR.

2. COASTAL BARRIERS RESOURCES ACT [Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)] Is the project located in a coastal barrier resource area?

☒ **No.** Cite or attach Source Documentation: *The nine designated units of the Coastal Barrier Resources System in New Jersey are uninhabited. The 12 "otherwise protected areas" associated with the Coastal Barrier Resources System in New Jersey are also uninhabited. Therefore, no project activities would occur on designated coastal barriers or in "otherwise protected areas," and the proposed project would have no impact on coastal barrier resources.*

[Proceed with project.]

☐ **Yes.** Federal assistance may not be used in such an area.

3. FLOOD DISASTER PROTECTION ACT [Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 (42 USC 4001-4128 and 42 USC 5154a)]

Does the project involve acquisition, construction, or rehabilitation of structures located in a FEMA-identified Special Flood Hazard Area (SFHA)?

☐ **No.** Cite or attach Source Documentation:

[Proceed with project.]

☒ **Yes.** Cite or attach Source Documentation: *See SRP0044000_FloodplainMgmtNFIPNotInFloodway_LRRP_TO53.*

Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?

☒ **Yes. Flood Insurance under the National Flood Insurance Program must be obtained.** If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to the maximum allowable coverage, whichever is less). A copy of the flood insurance policy declaration must be kept on file in the ERR.

☐ **No. Federal assistance may not be used in the Special Flood Hazard Area.**

Summary of Findings and Conclusions

Additional Studies Performed: (List the reports, studies, or analyses performed for this assessment, and attach studies or summaries.) *8 Step Decision Making Process for Floodplain Management - Since no practicable alternatives to locating within the floodplain were identified, an 8-step decision-making process was conducted as outlined in 24 CFR 55.21. A Spanish public notification was posted on April 10, 2014, in Reporte Hispano and an English public notification was posted on April 11, 2014 in the Star Ledger. The notices had a comment period of 15 days. Comments from the US Fish and Wildlife Service (USFWS) and US Army Corps of Engineers (ACOE) were received; however, these comments were not applicable to the subject project. A copy of the 8-step checklist, the 8-step analysis and public notifications can be found in the supporting documentation.*

Field Inspection (Date and completed by): *February 12, 2014, completed by Gary Doss, Environmental Planner and Lawrence Smith, Senior Planner.*

List of Sources, Agencies, and Persons Consulted [40 CFR 1508.9(b)]: (List sources, agencies, and persons consulted for this assessment.)

Agencies Consulted:

*US Environmental Protection Agency
NJDEP Office of Natural Lands Management*

Reference Materials:

New Jersey Department of Community Affairs. "Frequently Asked Questions About the Disaster Recovery Action Plan" Retrieved January 2014.

http://www.nj.gov/dca/announcements/pdf/3_21_FAQ_Disaster_Recovery_Action_Plan.pdf

New Jersey Department of Environmental Protection. Bureau of Geographic Information. Retrieved December 2013. <http://www.state.nj.us/dep/gis/geoweb splash.htm>

Township of Toms River Planning Board. Master Plan, Township of Dover. Updated May 2009.

U.S. Census Bureau American Fact Finder. Retrieved December 2013 and January 2014.

<http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>

U.S. Census Bureau American Community Survey. Retrieved December 2013 and January 2014.

<http://www.census.gov/acs/www/>

U.S. Department of Housing and Urban Development Noise Assessment Guidelines, Retrieved December 2013 and January 2014.

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/dnlcalculat_or

U.S. Environmental Protection Agency. EJ View Mapper. Retrieved January 2014.

<http://epamap14.epa.gov/eimap/entry.html>

U.S. Environmental Protection Agency Region 2. Sole Source Aquifers. Retrieved December 2013.

<http://www.epa.gov/region2/water/aquifer/>

U.S. Federal Emergency Management Agency. Map Service Center. Retrieved December 2013.

<https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1>

U.S. Fish and Wildlife Service. Endangered Species. U.S. Fish and Wildlife Service, New Jersey Field Office.

Retrieved January, 2014, from <http://www.fws.gov/northeast/njfieldoffice/Endangered/>

U.S. National Parks Service. National Wild and Scenic Rivers System. Retrieved December 2013.

<http://www.rivers.gov/new-jersey.php>

Lists of Permits Required:

Local Construction Permits

Road access/opening- local/county road

Ocean County Soil Conservation District Soil Erosion and Sediment Control Plan Certification

Site Plan Approval

Public Outreach [24 CFR 50.23 & 58.43]:

In accordance with HUD regulations, a Public Notice will be published in the local newspaper, The Star Ledger. A Spanish translation of the notice will be published in Reporte Hispano. Any substantive comments received will be incorporated into the EA. Public outreach was also conducted as part of the 8-step floodplain decision-making process. No comments applicable to the subject project were received.

Cumulative Impact Analysis [24 CFR 58.32]: *According to the Council on Environmental Quality (CEQ) regulations, cumulative impacts represent the “impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).” To the extent reasonable and practical, this EA considered the combined effect of the proposed project and other actions occurring or proposed in the vicinity of the proposed project site.*

Ocean County and the entire New Jersey coast are undergoing recovery efforts after Superstorm Sandy caused extensive damages. The recovery efforts in the area include rehabilitation, demolition, reconstruction, and new construction. These projects and the proposed project may have a cumulative temporary impact on air quality, noise, traffic and surface water during construction activities, but will have a net long-term benefit to those areas within New Jersey that were significantly impacted by Superstorm Sandy. No other cumulative effects are anticipated.

Project Alternatives Considered [24 CFR 58.40(e), 40 CFR 1508.9]: *(As appropriate, identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment for each*

alternative and the reasons for rejecting it.) *The property is currently developed with a five unit residence. Since the program goal is to repair the existing structure, no other reasonable alternatives were considered.*

No Action Alternative [24 CFR 58.40(e)]: *In the No Action Alternative, the subject property would continue to deteriorate. The No Action Alternative does not meet the Purpose and Need, as it would not help restore the damage sustained by communities impacted by Superstorm Sandy.*

Summary Statement of Findings and Conclusions: *Based on the findings of this Environmental Assessment, the proposed project will have a net benefit on the project.*

Required Mitigation and Project Modification Measures: [24 CFR 58.40(d), 40 CFR 1505.2(c), 40 CFR 1508.20] (Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)

General

1. *Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.*
2. *If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the National Environmental Policy Act.*

Noise

1. *Outfit all equipment with operating mufflers*
2. *Comply with the applicable local noise ordinance*

Air Quality

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls (see SRP0044000_AirQualityMemo_LRRP_TO53). In addition, the following must be met:

1. *Use water or chemical dust suppressant in exposed areas to control dust.*
2. *Cover the load compartments of trucks hauling dust-generating materials.*
3. *Wash heavy trucks and construction vehicles before they leave the site.*
4. *Reduce vehicle speed on non-paved areas and keep paved areas clean.*
5. *Retrofit older equipment with pollution controls.*
6. *Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.*
7. *Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.*
8. *Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C. 7:27-8.2(c). Such equipment includes, but is not limited to, the following:*
 - a. *Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);*
 - b. *Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);*
 - c. *Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and*
 - d. *Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).*

(Note: One or two family dwellings and dwellings of six or less family units, one of which is owner occupied, are exempt pursuant to NJSA 26:2C-9.2.)

9. *Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with the applicable smoke and "3-minute idling" limits (N.J.A.C. 7:27-14.3, 14.4, 15.3 and 15.8).*
10. *Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).*
11. *Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.*

Floodplain Management and Flood Insurance

1. *All proposed reconstruction, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the Flood Hazard Area Control Act rules (N.J.A.C. 7:13).*
2. *All structures funded by the RREM Program and the Small Rental Properties Program, if in, or partially in, the 100-year floodplain shown on the effective FEMA Flood Insurance Rate Map, must be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. This means no funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program. In the nine counties included in the RREM and Small Rental Properties Programs, this includes the following municipalities in the following counties:*
 - *Bergen County: Alpine Borough, Cliffside Park Borough, and Englewood Cliffs Borough*
 - *Hudson County: Union City*
 - *Monmouth County: Freehold Borough and Shrewsbury Township*
 - *Union County: Winfield Township*
3. *No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 CFR 58.6(b)].*
4. *In the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest (most recent) FEMA-issued Maps), adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 CFR 60.3(e) as required by HUD Regulation 24 CFR 55.1(c)(3).*

Energy Efficiency

All reconstruction, new construction and rehabilitation projects in the HUD CDBG programs must be designed to incorporate principles of sustainability, including water and energy efficiency, resilience and mitigation of the impact of future disasters.

Soil and Water Quality

Obtain Ocean Soil Conservation District Soil Erosion and Sediment Control Plan Certification. The following requirements will also be met.

1. *Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in waters and to prevent erosion in wetlands and waters.*
2. *Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.*